

REMARKS

In accordance with the foregoing, the specification and claim 1 have been amended. Claims 18 and 19 have been added; thus, claims 1-19 are pending and under consideration. No new matter is included in this amendment.

The 35 U.S.C. §102(b) Rejection:

At page 3 of the Office Action, Claims 1-12, 14 and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by EP 0836185 to Sohn et al. Claim 1 has been amended to recite that the movable members are "free to move within the cavity including movement across a center of rotation of the clasper main body." This feature is not included in Sohn et al. Claims 1-12, 14 and 15 are deemed to be patentable at least for similar reasons set forth above regarding amended claim 1.

The First 35 U.S.C. §103(a) Rejection:

At page 5 of the Office Action, claims 10-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sohn et al. The Examiner asserts "Official Notice" that self-compensating dynamic balancer integrated claspers having various cross section shapes are "notoriously old and well known in the art." If such "fact" is capable of "instant and unquestionable demonstration as alleged by the Examiner," the Examiner is respectfully requested to provide references supporting such position or withdraw the rejection.

The Second 35 U.S.C. §103(a) Rejection:

At page 6 of the Office Action, claims 16 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sohn et al. in view of JP 11-069707 to Omori et al. Regarding claim 16, the Examiner refers particularly to the abstract and to FIGS. 8 and 9 of Omori et al. and asserts that the Abstract and FIGS. 8 and/or 9 teach that the spherical shaped rigid bodies are free to move across a center of rotation of the main body. According to a machine translation available from the Japan Patent Office, FIGS. 8 and 9 are not other embodiments of the invention showing freedom to move across the center of rotation, but are sectional views taken along cutting line(s) VIII shown in FIG. 7. A copy of a relevant portion of machine translation is included as an attachment to this amendment. Thus, FIGS. 8 and 9 appear intended as illustrations of different track bottoms of the moving space 18 along the cutting line(s) VIII. In moving space 18, the balance balls 20 are movable across "a center of rotation of the main

body," as recited in claim 16.

Thus, a combination of Sohn et al. and Omori et al. fails to disclose "a plurality of spherical shaped rigid bodies disposed in the cavity and free to move within the cavity including movement across a center of rotation of the main body," as recited in claim 16. Claim 17 is deemed to be patentable at least for similar reasons set forth above regarding claim 16.

The Third 35 U.S.C. §103(a) Rejection:

At page 7 of the Office Action, claims 16 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Sohn et al. in view of U.S. Patent No. 6,295,269 to Takeuchi et al. The Examiner alleges that Takeuchi et al. teaches a plurality of spherical shaped rigid bodies (29, 30) disposed in cavity 21 which are free to move within the cavity including movement across a center of rotation of the main body (25). However, there are several features of Takeuchi et al. which restrict the movement of rigid bodies 29 and 30 within the cavity, namely stoppers 31 and 32 and weight member 33. Further, the raised portion of circular bottom portion 25a appears to be intended to prevent the rigid bodies from moving across the center of rotation. Although the portion of inner space 25e between the raised portion of circular bottom 25a and the upper lid 25c is graphically illustrated as being larger than rigid bodies 29 and 30, relative sizes in patent drawings have no significance.

Takeuchi et al. teaches away from the rigid bodies 29 and 30 being free to move across the center of rotation 28. In this regard, the Examiner's attention is directed to col. 6, lines 13-21 of Takeuchi et al., reading as follows:

The sectoral area AR1 is on the opposite side to the weight member 33 with respect to Y-axis, and the stoppers 31/32 do not allow the balls 29/30 to enter into the same side as the weight member 33. For this reason, the balls 29/30 and the center of gravity G do not enter into the relation shown in FIG. 3A, and the automatic balancing mechanism 21 is free from the serious vibrations due to the characteristic angular velocity ω_0 .

Thus, if the balls 29/30 were to cross the center of rotation, the balls 29/30 would enter the sector AR2, effectively destroying the stated principle of operation of the balancing mechanism of Takeuchi et al. Thus, there would have been no incentive for a person of ordinary

skill in the art at the time the invention was made to combine Takeuchi et al. with Sohn et al.

New claims:

Claim 18 recites a "self-compensating-dynamic-balancer integrated clamper for pressing a disk placed on a turntable of a disk player, the clamper comprising: a clamper main body provided with a cavity and rotating with the disk; a pressing member installed at the clamper main body for pressing the disk; movable members movably disposed in the cavity of the clamper main body; and a cover member joined to an opening of the main body to enclose the cavity, wherein: the movable members are free to move unobstructed within the cavity, including movement across a center of rotation of the clamper main body." This combination of features is not disclosed nor would the combination of features have been obvious to a person of ordinary skill in the art at the time the invention was made in view of any combination of the prior art references of record. Claim 19 is deemed to be patentable at least for similar reasons set forth above regarding claim 18.

Conclusion:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 11/4/05

By: John H. Stowe

John H. Stowe
Registration No. 32,863

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510